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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

IN REPLY REFER TO:

CC 92-77

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September 16, 1994

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SEP 22 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable J. James Exon  
Attention: Doris Peterson  
United States Senate  
528 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Exon:

Thank you for your letter on behalf of Jon J. Zavadil, Sheriff, Platte County Sheriff's Department, and Steve A. Rediger, Sheriff, York County Sheriff's Department, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

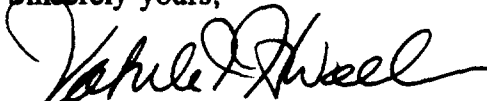
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The Honorable J. James Exon  
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kathleen M.H. Wallman". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline.

Kathleen M.H. Wallman  
Chief  
Common Carrier Bureau

Enclosures

J. JAMES EXON  
NEBRASKA

528 SENATE HART BUILDING  
WASHINGTON, DC 20510

287 FEDERAL BUILDING  
LINCOLN, NE 68508

1823 FARNAM STREET  
OMAHA, NE 68102

275 FEDERAL BUILDING  
NORTH PLATTE, NE 69101

2106 FIRST AVENUE  
SCOTTSBLUFF, NE 69381

United States Senate  
WASHINGTON, DC 20510-2702

COMMITTEES:  
ARMED SERVICES  
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TRANSPORTATION  
BUDGET

OCA  
92-17  
4340

August 29, 1994

Federal Communications Commission  
Congressional Liaison  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Sir:

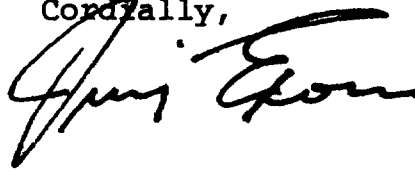
I am enclosing letters from some of my constituents whose problems appear to fall within your jurisdiction.

I would appreciate any information which will enable me to respond to my constituents, including the status of the proposed regulations and whether the expressed concerns of my constituents have been addressed in the proposed rules. Please do not refer to any specific constituent name in your reply, as I would like to share your response with many.

Please return the enclosed correspondence with your report to:

[REDACTED]

Cordially,



Jim Exon  
United States Senator

Enclosure



# Platte County Sheriff's Department

Platte County Courthouse • Columbus, Nebraska 68601

Phone: (402) 564-3229 • FAX: (402) 564-1662

Jon J. Zavadil,  
Sheriff

July 20, 1994

The Honorable Jim Exon  
United States Senate  
Hart Bldg., Room 528  
Washington, D. C. 20510

Re: CC Docket #92-77

Dear Senator:

I am writing to voice my concerns about the proposed Billed Party Preference regulation. The correctional facility inmate phone industry would be severely jeopardized by BPP, affecting inmates, their families and the criminal justice system as a whole. *For this reason, we are asking that inmate calls be exempt from the proposed BPP regulation.*

Over the past ten years, administrators of correctional facilities have been able to put into place a very effective system for allowing inmate phone calls. The right to choose our phone service provider has been key to our success. This service has always been delivered to us at very reasonable rates. What's more, inmate phone commissions have been a significant source of revenue for our facility and have helped us improve it dramatically. *We use this revenue to fund various programs including: law enforcement education; inmate health, education and recreation; jail personnel safety; drug prevention and other community programs; family visitation etc.*

*Here are a few of my biggest concerns about Billed Party Preference:*

- It strips correctional facility administrators of the right to choose inmate phone providers.
- Technology for BPP would reportedly cost upwards of \$1.5 billion, an expense that would have to be passed along to the consumer.
- Without the authority to process calls, inmate phone providers would no longer have the revenue to provide the sophisticated phone systems used in prisons. The end result: fewer phones with fewer security features. Facilities would have to revert to the old ways of supervising each and every inmate call.
- The average length of stay in jail would increase because inmates would not have the phone privileges required to make arrangements for obtaining bond. *This costs everyone!*
- Under BPP, correctional facilities would no longer have control over inmate calls, which means no call tracking or blocking. Inmates could conceivably harass judges, witnesses, jury members or even the victims of their crimes.
- Without call control, facilities would be unable to control fraud problems currently handled by inmate phone providers.

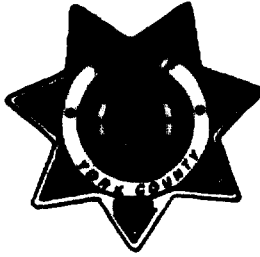
For the above reasons, and countless others, we believe that THE COSTS OF BILLED PARTY PREFERENCE FOR INMATE CALLS FAR OUTWEIGH THE BENEFITS. If BPP does become regulation, we urge you to make inmate calls exempt. Thank you for your consideration of my views.

Sincerely,

A handwritten signature in cursive script, reading "Jon Zavadil".

**YORK COUNTY SHERIFF'S DEPARTMENT**

**STEVE A. REDIGER, Sheriff**  
510 Lincoln Avenue  
York, Nebraska 68467



**DALE E. RADCLIFF, Chief Deputy**  
Telephone Number: 402-362-4927  
FAX Number: 402-362-2651

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July 22, 1994

Senator James Exon  
United States Senate  
Washington, D.C. 20515

Dear Senator Exon,

In sending this correspondence, I am asking you to vote against the proposed Billed Party Preference Regulations for long distance telephone calls, particularly those made from correctional facilities using inmate phone systems. While there are numerous reasons I ask you to oppose this regulation, some of my main concerns are that:

- #1. We will loose blocking control of our inmate phone calls, leading to possible abuse and harassment of witnesses, court employees, friends and family, etc.
- #2. We would loose a revenue stream in the inmate phone family, cost may actually go up.
- #3. The potential for inmate fraud and abuse will slowly creep back into the system. Other areas that would be affected would be our ability to block certain phone numbers, our ability to control call duration, etc.

It is our opinion that this regulation is unnecessary and unwarranted. It will make an already difficult job even harder. Again I ask that you support our efforts in the corrections field and vote against this regulation.

Respectfully Submitted,

Steve A. Rediger  
York County Sheriff  
510 Lincoln Ave.  
York, NE 68467